

1 WILLIAM A. ISAACSON (*Pro hac vice*)
(wisaacson@bsfllp.com)
2 STACEY K. GRIGSBY (*Pro hac vice*)
(sgrigsby@bsfllp.com)
3 NICHOLAS A. WIDNELL (*Pro hac vice*)
(nwidnell@bsfllp.com)
4 JONATHAN M. SHAW (*Pro hac vice*)
(jshaw@bsfllp.com)
5 BOIES SCHILLER FLEXNER LLP
6 1401 New York Avenue, NW, Washington, DC 20005
Telephone: (202) 237-2727; Fax: (202) 237-6131
7

8 RICHARD J. POCKER #3568
(rpocker@bsfllp.com)
9 BOIES SCHILLER FLEXNER LLP
300 South Fourth Street, Suite 800, Las Vegas, NV 89101
10 Telephone: (702) 382-7300; Fax: (702) 382-2755

11 DONALD J. CAMPBELL #1216
(djc@campbellandwilliams.com)
12 J. COLBY WILLIAMS #5549
(jcw@campbellandwilliams.com)
13 CAMPBELL & WILLIAMS
14 700 South 7th Street, Las Vegas, NV 89101
Telephone: (702) 382-5222; Fax: (702) 382-0540
15

16 *Attorneys for Defendant* Zuffa, LLC, d/b/a
Ultimate Fighting Championship and UFC

17 [Additional Counsel Listed on Signature Page]
18

19 UNITED STATES DISTRICT COURT

20 DISTRICT OF NEVADA

21 Cung Le, Nathan Quarry, Jon Fitch, Brandon
22 Vera, Luis Javier Vazquez, and Kyle
Kingsbury on behalf of themselves and all
23 others similarly situated,

24 Plaintiffs,

25 v.

26 Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

27 Defendant.
28

Case No.: 2:15-cv-01045-RFB-BNW

**JOINT MOTION TO
CONDITIONALLY FILE UNDER
SEAL EXHIBITS TO THE
PARTIES' REPLIES IN SUPPORT
OF THEIR OBJECTIONS AND
MOTION TO SEAL**

1 Concurrently with this Motion, each Party files a reply in support of motions filed
2 pursuant to the briefing schedule set by the Court, ECF Nos. 662, 670. Plaintiffs file their Reply
3 in Support of their Objections to Defendant Zuffa, LLC's Proposal to Introduce Certain Purported
4 "Summary Exhibits" at the Hearing Concerning Plaintiffs' Motion for Class Certification. Zuffa
5 files its Reply in Support of its Motion to Seal Exhibits and Protected Materials at the Evidentiary
6 Hearing on Class Certification. Plaintiffs and Zuffa (jointly, the "Parties") now submit this Joint
7 Motion to reduce the burden on the Court and avoid unnecessary briefing and motion practice.

8 The briefs and the exhibits to these two motions include documents that Zuffa maintains
9 should be sealed (the "Disputed Materials"), and these materials are lodged under seal
10 concurrently with the filing of this and the above-mentioned motions. The Parties disagree as to
11 whether the Disputed Materials should remain under seal. However, the briefing they have
12 already filed directly addresses this dispute. Zuffa and Plaintiffs have stated each of their
13 positions at length in their respective briefing regarding the treatment of confidential and
14 protected material at the evidentiary hearing, ECF Nos. 631, 632, 639, 645, 665, and in other
15 briefing on motions to seal. The Parties expect that the Court's decision on how to treat exhibits
16 and protected materials at the evidentiary hearing will resolve the disagreement regarding
17 whether the Disputed Materials should remain under seal.

18 The Parties do not seek to re-litigate this issue for the purposes of these filings. Therefore,
19 solely for the limited reason that the Disputed Materials, as they currently stand, are still
20 designated Confidential, Plaintiffs do not oppose Zuffa's request in this joint motion that the
21 Disputed Materials remain under seal, in accordance with the Protective Order, until the Court
22 has ruled on Zuffa's Motion to Seal Exhibits and Protected Materials at the Evidentiary Hearing
23 on Class Certification ("Motion to Seal"), ECF No. 665, and determined what protected material
24 is properly sealed during the evidentiary hearing. Plaintiffs continue to reserve their right to
25 challenge Zuffa's confidentiality designations pursuant to Section 6.1 of the Protective Order,
26 ECF No. 217. Having met and conferred on this issue, the Parties jointly move to file the
27 Disputed Materials conditionally under seal, pending the Court's ruling on Zuffa's Motion to
28

Seal, ECF No. 665. Should the Court determine that any of the materials under seal should not be sealed, the relevant Party will re-file any such materials on the public docket at that time.

Dated: July 12, 2019

Dated: July 12, 2019

JOSEPH SAVERI LAW FIRM, INC.

BOIES SCHILLER FLEXNER LLP

By: /s/ Kevin E. Rayhill

By: /s/ Jonathan M. Shaw

Joseph R. Saveri (admitted *pro hac vice*)
 Joshua P. Davis (admitted *pro hac vice*)
 Kevin E. Rayhill (admitted *pro hac vice*)
 Jiamin Chen (admitted *pro hac vice*)
 601 California Street, Suite 1000
 San Francisco, California 94108
 Phone: (415) 500-6800/Fax: (415) 395-9940
 jsaveri@saverilawfirm.com
 jdavis@saverilawfirm.com
 krayhill@saverilawfirm.com
 jchen@saverilawfirm.com

William A. Isaacson (admitted *pro hac vice*)
 Stacey K. Grigsby (admitted *pro hac vice*)
 Nicholas A. Widnell (admitted *pro hac vice*)
 Jonathan M. Shaw (admitted *pro hac vice*)
 1401 New York Ave, NW
 Washington, D.C. 20005
 Phone: (202) 237-2727/Fax: (202) 237-6131
 wisaacson@bsflp.com
 sgrigsby@bsflp.com
 nwidnell@bsflp.com
 jshaw@bsflp.com

Co-Lead Counsel for the Classes and Attorneys for Individual and Representative Plaintiffs Cung Le, Nathan Quarry, Jon Fitch, Luis Javier Vazquez, Brandon Vera, and Kyle Kingsbury

Attorneys for Defendant Zuffa, LLC, d/b/a Ultimate Fighting Championship and UFC

BERGER MONTAGUE PC

CAMPBELL & WILLIAMS

Eric L. Cramer (admitted *pro hac vice*)
 Michael Dell'Angelo (admitted *pro hac vice*)
 Patrick F. Madden (admitted *pro hac vice*)
 Mark R. Suter (admitted *pro hac vice*)
 1818 Market Street, Suite 3600
 Philadelphia, Pennsylvania 19103
 Phone: (215) 875-3000/Fax: (215) 875-4604
 ecramer@bm.net
 mdellangelo@bm.net
 pmadden@bm.net
 msuter@bm.net

Donald J. Campbell (State Bar No. 1216)
 J. Colby Williams (State Bar No. 5549)
 700 South 7th Street
 Las Vegas, Nevada 89101
 Phone: (702) 382-5222/Fax: (702) 382-0540
 djc@campbellandwilliams.com
 jcw@campbellandwilliams.com

Attorneys for Defendant Zuffa, LLC, d/b/a Ultimate Fighting Championship and UFC

BOIES SCHILLER FLEXNER LLP

Co-Lead Counsel for the Classes and Attorneys for Individual and Representative Plaintiffs Cung Le, Nathan Quarry, Jon Fitch, Luis Javier Vazquez, Brandon Vera, and Kyle Kingsbury

Richard J. Pocker (State Bar No. 3568)
 300 South Fourth Street, Suite 800
 Las Vegas, Nevada 89101
 Phone: (702) 382-7300/Fax: (702) 382-2755
 rpocker@bsflp.com

Attorneys for Defendant Zuffa, LLC, d/b/a Ultimate Fighting Championship and UFC

**COHEN MILSTEIN SELLERS
& TOLL, PLLC**

Benjamin D. Brown (admitted *pro hac vice*)
Richard A. Koffman (admitted *pro hac vice*)
Daniel H. Silverman (admitted *pro hac vice*)
1100 New York Ave., N.W.,
Suite 500, East Tower
Washington, D.C. 20005
Phone: (202) 408-4600/Fax: (202) 408 4699
bbrown@cohenmilstein.com
rkoffman@cohenmilstein.com
dsilverman@cohenmilstein.com

*Co-Lead Counsel for the Classes and
Attorneys for Individual and Representative
Plaintiffs Cung Le, Nathan Quarry, Jon Fitch,
Luis Javier Vazquez, Brandon Vera, and Kyle
Kingsbury*

RADICE LAW FIRM, P.C.

John D. Radice (admitted *pro hac vice*)
34 Sunset Blvd
Long Beach, NJ 08008
jradice@radicelawfirm.com

Attorneys for Plaintiffs

**WOLF, RIFKIN, SHAPIRO,
SCHULMAN & RABKIN, LLP**

Don Springmeyer
Nevada Bar No. 1021
Bradley S. Schrager
Nevada Bar No. 10217

3556 E. Russell Road, Second Floor
Las Vegas, Nevada 89120
(702) 341-5200/Fax: (702) 341-5300
dspringmeyer@wrslawyers.com
bschrager@wrslawyers.com

*Liaison Counsel for the Classes and Attorneys
for Individual and Representative Plaintiffs
Cung Le, Nathan Quarry, Jon Fitch, Luis
Javier Vazquez, Brandon Vera, and Kyle
Kingsbury*

**WARNER ANGLE HALLAM JACKSON
& FORMANEK PLC**

Robert C. Maysey (admitted *pro hac vice*)
Jerome K. Elwell (admitted *pro hac vice*)
2555 E. Camelback Road, Suite 800
Phoenix, Arizona 85016
Phone: (602) 264-7101/Fax: (602) 234-0419
rmaysey@warnerangle.com
jelwell@warnerangle.com

*Counsel for the Classes and Attorneys for
Individual and Representative Plaintiffs Cung
Le, Nathan Quarry, Jon Fitch, Luis Javier
Vazquez, Brandon Vera, and Kyle Kingsbury*

**LAW OFFICE OF FREDERICK S.
SCHWARTZ**

Frederick S. Schwartz (admitted *pro hac vice*)
15303 Ventura Boulevard, #1040
Sherman Oaks, California 91403
Phone: (818) 986-2407/Fax: (818) 995-4124
fred@fredschwartzlaw.com

Attorneys for Plaintiffs

**SPECTOR ROSEMAN & KODROFF,
P.C.**

William G. Caldes (admitted *pro hac vice*)
2001 Market Street, Suite 3420
Philadelphia, Pennsylvania 19103
Phone: (215) 496-0300/Fax: (215) 496-6611
wcaldes@srkw-law.com

Attorneys for Plaintiffs

ATTESTATION OF FILER

The signatories to this document are myself and Kevin Rayhill, and I have obtained Mr. Rayhill's concurrence to file this document on his behalf.

Dated: July 12, 2019

/s/ Jonathan M. Shaw

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Joint Motion to Conditionally Seal Exhibits to the Parties' Replies in Support of their Objections and Motion to Seal was served on July 12, 2019 via the Court's CM/ECF electronic filing system addressed to all parties on the e-service list.

/s/ Roderick Crawford
Roderick Crawford